



State of Rhode Island and Providence Plantations

DEPARTMENT OF ATTORNEY GENERAL

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Patrick C. Lynch, Attorney General

CHARITABLE TRUST INSTRUCTIONS

(R.I. GEN. LAWS §§ 18-9-1, et seq. and 38-2-1, et seq.)

1. **REGISTRATION OF TRUSTS**

- a. An initial "Charitable Trust Registration Statement" form is to be filled out and returned to this office for each trust. This document may be sent to you upon request or accessed via www.riag.state.ri.us.
- b. An initial filing fee of \$50.00 is to be enclosed.
- c. Include a copy of a will, indenture, and/or other trust-establishing instrument (*e.g. articles of incorporation, by-laws, etc.*) with the initial registration. Any amendments to these instruments must be filed with this office within thirty (30) days of amendment.
- d. Upon receipt of all necessary materials, the office will mail to registrant a notice of successful registration along with an assigned file number, "**Attorney General #**", that must be used in all future correspondence with this office.

2. **ANNUAL REPORTS:**

- a. This office requires an annual report to be filed each year. The deadline for submission is on or before July 1 for the trust's previous fiscal year.
- b. A trustee may submit either the "Annual Report For Charitable Trusts" form, which may be sent to you upon request or accessed via www.riag.state.ri.us, or a copy of an IRS 990 filing submitted to the Internal Revenue Service. No other forms will be accepted.
- c. A \$50.00 annual filing fee is to be enclosed. Make the check payable to "General Treasurer of Rhode Island." No charitable trust is exempt from the \$50.00 annual filing fee regardless of the trust value.

3. **TERMINATION OF TRUSTS**

- a. A "Charitable Trust Termination Statement" form is to be filled out and returned to this office. The form may be sent to you upon request or accessed via www.riag.state.ri.us. Include a copy of all necessary trust/terminating instruments (*e.g. will, indenture, articles of incorporation, by-laws, etc.*), and the most recent financial statement showing the most recent fair market value of the trust.
- b. Upon receipt of all necessary materials, and if this office approves of the termination, this office will mail to trustee a copy of the original "Charitable Trust Termination Statement" form with the signature of a special assistant attorney general as verification of consent to termination.
- c. All trusts with assets less than one hundred thousand dollars (\$100,000) may be terminated with consent of the Attorney General and present and future beneficiary/beneficiaries. In the case where a trustee has discretion to select the beneficiary/beneficiaries, only the consent of the Attorney General is necessary. For trusts with assets above one hundred thousand dollars (\$100,000), the consent of the court is necessary in order to terminate.

4. **REQUEST TO INSPECT AND/OR INSPECT RECORDS**

- a. A "Request To Inspect And/Or Copy Records" form is to be filled out and returned to this office. The form may be sent to you upon request or accessed via www.riag.state.ri.us.
- b. Copies of any documents are fifteen cents (\$.15) per page or the actual reproduction cost for paper larger than 8 1/2" by 14", plus an hourly charge of fifteen (\$15) dollars per hour for searching and copying, with no costs charged for the first sixty (60) minutes.
- c. R. I. Gen. Laws 38-2-6 prohibits the use of information obtained from public records to solicit for commercial purposes or to obtain a commercial advantage over the party furnishing that information to the public body. Violation of this commercial use prohibition is a misdemeanor crime, punishable by a fine of not more than five hundred dollars (\$500) and/or imprisonment for no longer than one year.